

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

INARA CEDRINS,

Plaintiff,

vs.

No. CIV 09-646 MV/LFG

RAMESH KUMAR SHRESTHA
and JAMES PREWITT,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION
AND DISMISSING ACTION WITH PREJUDICE**

THIS MATTER comes before the Court on the Magistrate Judge's Report and Recommendation [Doc. 10], recommending that this case be dismissed for lack of federal jurisdiction and because the complaint does not plead sufficient facts that, when taken as true, provide plausible grounds that discovery will reveal evidence to support the plaintiff's allegations. Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007); Ashcroft v. Iqbal, ___ U.S. ___, 129 S. Ct. 1937 (2009).

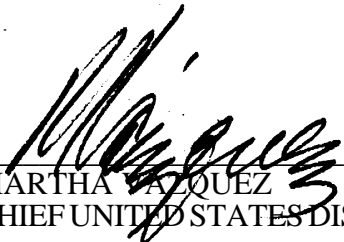
Plaintiff Inara Cedrins ("Cedrins") filed Objections [Doc. 12] to the Report and Recommendation. The Court conducted a *de novo* review of those portions of the Magistrate Judge's findings and recommended disposition to which Plaintiff objects. Nothing contained in the Objections remedies the fundamental problem of lack of federal jurisdiction in this case. The basis for this ruling has been thoroughly and repeatedly explained to Cedrins in all of the cases previously filed in this Court. The Court adopts the Magistrate Judge's Report and Recommendation, and further confirms the rulings denying appointment of counsel [Doc. 10], and denying Cedrins's motion for hearing and for service of process [Doc. 11].

The Court further agrees with the finding that Cedrin has engaged in frivolous and abusive litigation tactics and advises her that continuation of such tactics may result in sanctions, including

filing restrictions.

IT IS THEREFORE ORDERED that Plaintiff's objections are overruled, and the Magistrate Judge's Report and Recommendation is adopted by the Court.

IT IS FURTHER ORDERED that Plaintiff's complaint is dismissed, and this action is dismissed with prejudice.



MARTHA MARQUEZ
CHIEF UNITED STATES DISTRICT JUDGE